

2813



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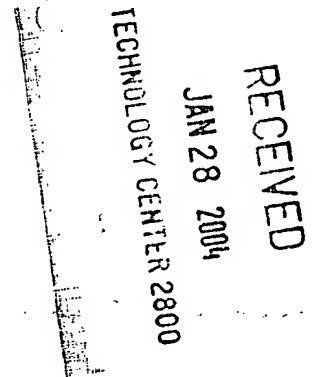
Application no. 10/076,244

January 20, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Art Unit 2813 - Examiner Berezny, Nema

FROM: George O. Saile, Reg. No. 19,572
28 Davis Avenue
Poughkeepsie, N.Y. 12603



SUBJECT: Serial #: 10/076,244
File Date: Feb. 13, 2002
Inventor: Yakub Aliyu
Examiner: Berezny, Nema
Art Unit: 2813
Title: A Method of Copper/Copper Surface Bonding using a
Conducting Polymer for Application in IC Chip Bonding

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Election of Species Requirement in the Office Action dated Dec. 19, 2003. In that office action, applicant was required under 35 U.S.C. 121

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents P.O. Box 1450, Alexandria, VA 22313-1450 on Jan. 20, 2004.

Signature 
Stephen B. Ackerman, Reg. No. 37,761

Date: Jan. 20, 2004

to elect a single disclosed species for prosecution on the merits.

The species stated are:

- I. Claims 1-17, drawn to a method of forming a semiconductor device, classified in class 438, subclass 108, and
- II. Claims 18-24, drawn to a chemical vapor deposition method, classified in class 427, subclass 585, and
- III. Claims 25-26, drawn to a liquid deposition method, classified in class 427, subclass 581, and
- IV. Claims 27-30, drawn to a method of patterning a layer, classified in class 430, subclass 200.

Applicant provisionally elects to be examined the species described by the Examiner as Group Invention I , which reads on Claims 1-17. This election is made with traverse of the requirement under 37 C.F.R. 1.143 for the reasons given in the following paragraphs.

The Examiner states that Inventions I, II, III and IV are related as mutually exclusive species in an intermediate-final product relationship, and that distinctness is proven for

claims in this relationship if the intermediate product is useful to make other than the final product (MPEP § 806.04(b), 3rd paragraph), and the species are patentably distinct (MPEP § 806.04(h)). The Examiner also states that in the instant case the, the intermediate product is deemed to be useful as a nickel carbonate layer formed from either vapor constituents or liquid constituents, and an intermediate product of a patterned nickel carbonate layer, and that the inventions are deemed patentably distinct since there is nothing on the record to show them to be obvious variants.

However, it is believed by applicant that the field of search must necessarily cover the Group I class/subclass 438/108, Group II class/subclass 427/585, Group III class/subclass 427/581, Group IV class/subclass 430/200, in addition to other related classes and subclasses, to provide a complete and adequate search. The fields of search for Groups I, II, III and IV are clearly and necessarily co-extensive.

The Examiner is respectfully requested to reconsider the Requirement for Election of Species given in the Office Action, because of the increased costs applicant would be forced to bear if the four species are separately examined.

Withdrawal of the Election of Species Requirement, and allowance of the present Patent Application, is therefore respectfully requested.

It is requested that should there be any problems with this response, please call the undersigned Attorney at (845) 452-5863.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. B. Ackerman', with a long horizontal flourish extending to the right.

Stephen B. Ackerman, Reg. No. 37,761